EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with **PATRICK A. QUINLAN** on **04/16/2010**.

The application has been amended as follows:

12. (Currently amended) A method for MPLS protection switching from a MPLS working path to a MPLS protection path comprising:

transmitting a failure notification associated with a failure to a protection switch node along a path that follows the MPLS working path; and

routing data at the protection switch node from the MPLS working path to the MPLS protection path upon receipt of the failure notification, wherein the protection switch node is at an origin of the MPLS working path and the MPLS protection path and the protection switch node is upstream to the failure.

13. (Currently amended) The method of Claim 12, wherein the failure notification is transmitted in a direction reverse to the MPLS working path.

14. (Currently amended) The method of Claim 12, wherein the path that follows the MPLS working path mirrors the MPLS working path.

21. (Currently amended) An apparatus for MPLS protection switching from a MPLS working path to a MPLS protection path comprising:

a failure notification relay mechanism adapted to transmit a failure notification along at least one segment of a path that follows the MPLS working path, upon a failure along the MPLS working path; and

a protection switch adapted to switch traffic from the MPLS working path to the MPLS protection path upon receiving the failure notification, wherein the protection switch is at an origin of the MPLS working and protection paths.

22. (Currently amended) The apparatus of Claim 21, further comprising a failure detection mechanism adapted to detect the failure and transmit the failure notification along the at least one segment of the path that follows the MPLS working path.

23. (Currently amended) The apparatus of Claim 21, wherein the failure notification relay mechanism is adapted to allow the transmission of the failure notification in a reverse direction of the MPLS working path.

24. (Currently amended) The apparatus of Claim 21, wherein the path that follows the MPLS working path mirrors the MPLS working path.

Conclusion

Any response to this action should be mailed to:

The following address mail to be delivered by the United States Postal Service (USPS) only:

Mail Stop _____
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083.** The examiner can normally be reached on Monday-Thursday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Chirag G. Shah**, can be reach on **(571) 272-3144.** The fax phone number for this group is **(571) 273-8300.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BOB A PHUNKULH/
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